

entitled, as a matter of right, to a hearing and a review by such board of review of his efficiency rating. At such hearing such employee and his representative, and such representatives of the Department as may be designated by the head thereof, shall be afforded an opportunity to submit orally or in writing any information deemed by the board of review to be pertinent to the case, and shall be afforded an opportunity to hear or examine, and reply to, information submitted to such board by other parties. After any such hearing, the board of review may make such adjustments in any such efficiency rating as it may find to be proper."

Adjustments in ratings.

Compensation of Commissioners, etc.

SEC. 8. Hereafter the compensation of the Civil Service Commissioners shall be fixed at \$10,000 each per annum, and the compensation of the Executive Director and Chief Examiner shall be fixed at \$9,500 per annum.

Approved, November 26, 1940.

[CHAPTER 920]

AN ACT

November 27, 1940

[S. 1681]

[Public, No. 881]

To amend section 107 of the Judicial Code, to redistrict the State of Tennessee, to provide the duties and powers of the district judges of the State of Tennessee, and for other purposes.

Judicial Code, amendment.

36 Stat. 1124.

28 U. S. C. § 188;

Supp. V, § 188.

Tennessee judicial districts.

Eastern district.

Winchester division.

Southern division.

Northern division.

Northeastern division.

Terms of court.

Proviso.
Court accommodations at Winchester.
Ante, p. 348.

Middle district.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 107 of the Judicial Code, as amended, is amended to read as follows:

"SEC. 107. (a) The State of Tennessee is divided into three districts, to be known as the eastern, middle, and western districts of Tennessee.

"(b) The eastern district shall include the territory embraced on the 1st day of January 1940 in the counties of Bedford, Franklin, Lincoln, Warren, Grundy, Coffee, Van Buren, and Moore, which shall constitute the Winchester division of said district; also the territory embraced on the date last mentioned in the counties of Bledsoe, Bradley, Hamilton, Marion, McMinn, Meigs, Polk, Rhea, and Sequatchie, which shall constitute the southern division of said district; also the territory embraced on the date last mentioned in the counties of Anderson, Blount, Campbell, Claiborne, Grainger, Jefferson, Knox, Loudon, Monroe, Morgan, Roane, Sevier, Scott, and Union, which shall constitute the northern division of said district; also the territory embraced on the date last mentioned in the counties of Carter, Cocke, Greene, Hamblen, Hancock, Hawkins, Johnson, Sullivan, Unicoi, and Washington, which shall constitute the northeastern division of said district. Terms of the district court for the Winchester division shall be held at Winchester on the third Mondays in May and October; for the southern division at Chattanooga on the fourth Monday in April and the second Monday in November; for the northern division at Knoxville on the fourth Monday in May and the first Monday in December; for the northeastern division at Greeneville on the first Monday in March and the third Monday in September: *Provided*, That suitable accommodations for holding court at Winchester shall be provided by the local authorities but only until such time as such accommodations shall be provided upon the recommendation of the Director of the Administrative Office of the United States Courts in a public building or other quarters provided by the Federal Government for such purpose.

"(c) The middle district shall include the territory embraced on the 1st day of January 1940 in the counties of Cannon, Cheatham, Davidson, Dickson, Humphreys, Houston, Montgomery, Robertson, Rutherford, Stewart, Sumner, Trousdale, Williamson, and Wilson,

which shall constitute the Nashville division of said district; also the territory on the date last mentioned in the counties of Hickman, Giles, Lawrence, Lewis, Marshall, Wayne, and Maury, which shall constitute the Columbia division of said district; also the territory embraced on the date last mentioned in the counties of Clay, Cumberland, De Kalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, and White, which shall constitute the northeastern division of said district. Terms of the district court for the Nashville division of said district shall be held at Nashville on the second Monday in March and the fourth Monday in September; for the Columbia division at Columbia on the third Monday in June and the fourth Monday in November; and for the northeastern division at Cookeville on the third Monday in April and the first Monday in November: *Provided*, That suitable accommodations for holding court at Columbia shall be provided by the local authorities but only until such time as such accommodations shall be provided upon the recommendation of the Director of the Administrative Office of the United States Courts in a public building or other quarters provided by the Federal Government for such purpose.

“(d) The western district shall include the territory embraced on the 1st day of January 1940 in the counties of Dyer, Fayette, Haywood, Lauderdale, Shelby, and Tipton, which shall constitute the western division of said district; also the territory embraced on the date last mentioned in the counties of Benton, Carroll, Chester, Crockett, Decatur, Gibson, Hardeman, Hardin, Henderson, Henry, Lake, McNairy, Madison, Obion, Perry, and Weakley, including the waters of the Tennessee River to low-water mark on the eastern shore thereof wherever such river forms the boundary line between the western and middle districts of Tennessee, from the north line of the State of Alabama, north to the point, Henry County, Tennessee, where the south boundary line of the State of Kentucky strikes the east bank of the river, which shall constitute the eastern division of said district. Terms of the district court for the western division of said district shall be held at Memphis on the first Mondays in April and October; and for the eastern division at Jackson on the fourth Mondays in March and September. An office of the clerk, in charge of the clerk or a deputy, shall be maintained at Memphis and Jackson. The marshal for the western district shall appoint a deputy who shall reside at Jackson. The marshal for the eastern district shall appoint a deputy who shall reside at Chattanooga. An office of the clerk of the court for the eastern district shall be maintained, in charge of the clerk or a deputy, at Knoxville, at Chattanooga, and at Greeneville.

“(e) The district judge for the eastern district of Tennessee in office on the date of the enactment of this Act, shall hold regular and special terms of court at Knoxville and Greeneville. The said district judge shall have the power of appointment and removal of all officers and employees of the court in said district, except as herein otherwise provided, whose appointment is vested by law in a district judge or senior district judge.

“(f) The district judge for the eastern and middle districts of Tennessee, appointed under the authority of the Act approved May 31, 1938 (52 Stat. 584), whose official residence shall be at Chattanooga, shall be an additional district judge for the eastern district of Tennessee as constituted by this Act and shall hold regular and special terms of court at Winchester and Chattanooga. The said judge shall possess the same powers, perform the same duties, and receive the same compensation as other district judges. The said district judge shall

Nashville division.

Columbia division.

Northeastern division.
Terms of court.

Proviso.
Court accommodations at Columbia.
Ante, p. 348.

Western district.

Western division.

Eastern division.
Terms of court.

Office of clerk.

Deputy marshals.

Office of clerk.

Terms of court at Knoxville and Greeneville.

Power of appointment, etc., of officers and employees.

Terms at Winchester and Chattanooga.

28 U. S. C., Supp. V, § 4w.

Powers, etc., of designated judge.

Appointment of successors to judge.

Orders for disposition of business, etc.

District attorneys and marshals.

Terms of court at Nashville, Columbia, and Cookeville.

Terms at Memphis and Jackson.

Repeal of inconsistent laws.

have the power of appointment and removal of all those officers and employees of the court for the eastern district of Tennessee whose official headquarters are located in the Winchester division and in the southern division of the eastern district of Tennessee and whose appointment is vested by law in a district judge or a senior district judge. The President is authorized to appoint, by and with the consent of the Senate, a successor or successors to said judge as vacancies may occur. Nothing herein contained shall be construed to prevent said judge or his successors from becoming the senior district judge by succession, or from exercising the powers and rights of senior district judge of said district. The judge designated herein to hold regular and special terms of court at Winchester and Chattanooga shall make all necessary orders for the disposition of business and assignment of cases for trial in said divisions. The district attorneys and marshals for the eastern, middle, and western districts of Tennessee in office immediately prior to the enactment of this Act shall be during the remainder of their present terms of office the district attorneys and marshals for such districts as constituted by this Act.

“(g) The district judge for the middle district of Tennessee shall be the district judge for the middle district of Tennessee as constituted by this Act and shall hold regular and special terms of court at Nashville, Columbia, and Cookeville.

“(h) The district judge for the western district of Tennessee shall hold regular and special terms of court at Memphis and Jackson.”

SEC. 2. All provisions of law inconsistent with the provisions of this Act are hereby repealed.

Approved, November 27, 1940.

[CHAPTER 921]

AN ACT

For the relief of the Cherokee Indian Nation or Tribe, and for other purposes.

November 27, 1940

[S. 3133]

[Public, No. 882]

Cherokee Indian Nation or Tribe.
Appropriation authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,185.72 with interest at 5 per centum from June 30, 1919, to the date of the appropriation of the said sum herein authorized, which sum was appropriated by the Act of June 30, 1919 (41 Stat. pp. 21, 22), and by the terms of said Act was required to be “credited to the principal of the Cherokee school fund”, a trust fund bearing interest at 5 per centum, but which said sum was erroneously deposited in the general fund of the Treasury as miscellaneous receipt, by miscellaneous receipt covering warrant Numbered 122, as of August 14, 1919.

When appropriated said money shall be credited to the Cherokee school fund and the Secretary of the Treasury shall pay the said money to the surviving attorneys of the Cherokee Indian Nation or Tribe selected by them in pursuance to the Act of March 19, 1924 (43 Stat. p. 27), to reimburse in part said attorneys for expenses heretofore incurred in the preparation and prosecution of the claims of the said Cherokee Indian Nation or Tribe, brought under said Act of March 19, 1924, in the name of “The Cherokee Nation against the United States”.

Approved, November 27, 1940.

Credit to Cherokee school fund.
Reimbursement of attorneys.